

MEMORANDUM

Agenda Item No. 8(M)(3)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners


DATE: October 7, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution approving allocation
of \$2,000,000.00 from Economic
Development Fund Project 320
of Building Better Communities
General Bond Program to Miami
Design District NE 2nd Avenue
Project to fund certain economic
development projects

This item was amended from the original version as stated in the County Mayor's memorandum.

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: October 7, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the "From:" line.

Subject: Allocation of Economic Development in the Targeted Urban Areas Fund Project 320 to
to Dacra Design Moore (Del) LLC., Miami Design District NE 2nd Avenue Project

This item was amended at the August 28, 2014 Economic Development and Port Miami Committee to increase the funding allocation from \$1,000,000.00 to \$2,000,000.00.

Recommendation

It is recommended that the Board of County Commissioners ("Board") approve the attached resolution allocating \$2,000,000.00 of funding from the Building Better Communities General Obligation Bond (BBC GOB) Program, Economic Development in the Targeted Urban Areas Fund Project 320 to the Miami Design District NE 2nd Avenue project (Project). The resolution directs the Mayor or Mayor's designee to begin negotiating the terms of a grant agreement that will be presented to the Board for their approval at a future date.

Scope

This project is located in District 3 (Commissioner Audrey Edmonson). While the economic impact of this Project primarily benefits the Little Haiti Target Urban Area in District 3, additional benefits are expected countywide.

Fiscal Impact/Funding Source

There will be no fiscal impact to the County with the approval of this item which simply sets a potential allocation for the recommended project and establishes the directive to begin negotiations for a grant agreement that must come back to the Board for final approval.

Track Record/Monitor

Deputy Director of Regulatory and Economic Resources Josh Gelfman will monitor the creation and retention of new jobs, average salaries, private investment and any other performance measures as agreed in the respective grant agreements, which would be approved by the Board.

Background

In November 2004, Miami-Dade County voters approved the issuance of \$352.182 million in general obligation bonds to, among other things, construct and improve bridges, public infrastructure, and neighborhood improvements as part of the BBC GOB Program. A total of \$15 million was allocated towards the Economic Development in the Targeted Urban Areas Fund Project 320. The Administrative Rules for the BBC GOB Program that govern Fund Project 320 were adopted by the Board under Resolution No. R-668-10 on June 15, 2010.

Funding from grant awards under Project 320 must be used for public infrastructure improvements to spur economic development and attract new businesses to the community in order to create jobs. Public infrastructure includes road improvements, water and sewer networks, public parking structures, public facilities and other improvements subject to certain limitations and evaluated on a case-by-case basis. Ineligible uses of the grant awards from Project 320 include, but are not limited to, working capital, furniture and fixtures, business equipment, and non-capital related expenses.

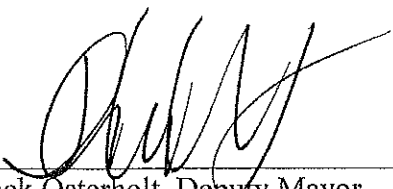
Staff conducted evaluations of submitted projects taking into consideration the requirements and objectives of the Administrative Rules, the language in the BBC GOB bond question approved by the voters in 2004, and the information proposed on the BBC GOB application.

The grant awards are disbursed as reimbursements of eligible expenditures paid by the grantees and approved by the Mayor or the Mayor's designee in accordance with established administrative and IRS rules governing the tax-exempt status of the General Obligation Bond Program. The disbursement of grant funds are also contingent upon the developer meeting performance measures relating to job creation, private investment, average salaries and others specified in the respective grant agreements. In the event that IRS rules require grant funds to be disbursed before performance milestones can be met, a claw back provision will be included in the grant agreement that allows the County to recover part or all of the grant funds disbursed when performance milestones are not achieved.

The NE 2nd Avenue is part of the Miami Design District Mixed Use Development Project. Dacra Design Moore, LLC is the developer building new construction for Miami Design District Associates, LLC. The current project is located in the Little Haiti Targeted Urban Area (TUA) along NE 2nd Avenue from NE 38th Street to NE 42nd Street, and the developer plans a 1.1 million square feet expansion that includes a boutique hotel, residential development, additional commercial space, and art exhibition space. Construction is currently underway.

Dacra Design Moore is requesting financial support for public infrastructure consisting of roadway construction, drainage, underground utilities, traffic signals, signage, street lighting, and landscaping and irrigation. The public infrastructure is necessary for the private development envisioned in the plan. The latest Census Bureau estimates of unemployment in Little Haiti suggest a rate in excess of 20%. Miami Design District Associates estimates their development will yield an additional 433 employment positions at the completion of the Project.

Prior to entering into a grant agreement, a final determination as to the Project's qualification to receive the funds will be made. The grant agreement will be presented to the Board for approval at a future date. If the allocation to this Project is greater than the amount of eligible public infrastructure expenditures needed, the difference will be available for reallocation by the Board. If an agreement for this recommended project cannot be finalized, the funding may also be reallocated by the Board.



Jack Osterholt, Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: October 7, 2014

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(M)(3)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(M)(3)
10-7-14

RESOLUTION NO. _____

RESOLUTION APPROVING ALLOCATION OF
\$2,000,000.00 FROM ECONOMIC DEVELOPMENT FUND
PROJECT 320 OF BUILDING BETTER COMMUNITIES
GENERAL BOND PROGRAM TO MIAMI DESIGN
DISTRICT NE 2ND AVENUE PROJECT TO FUND CERTAIN
ECONOMIC DEVELOPMENT PROJECTS

WHEREAS, Appendix A to Resolution No. R-914-04 (the “Public Infrastructure Resolution”), lists projects eligible for funding from the Building Better Communities General Obligation Bond Program by project number, municipal project location, BCC district, project description, street address, and project funding allocation; and

WHEREAS, one of the projects listed in Appendix A to the Public Infrastructure Resolution and approved by the voters for funding is Project No. 320 – Economic Development Fund (“Project 320”) with a project description that states “Provide infrastructure improvements to spur economic development and attract new businesses to the community and to create jobs”; and

WHEREAS, the goal of Project 320 is to encourage private sector development that will create jobs and cause economic development which will have a long term benefit to the community; and

WHEREAS, this Board wishes to approve an allocation of ~~[[\$1,000,000.00]]~~¹ >>\$2,000,000.00<< from Project 320 to Miami Design District NE 2nd Avenue Project (“Miami Design District”) as recommended by the Mayor upon certain employment and salary

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

benchmarks being met at different intervals, among other requirements, as described in the Mayor's Memorandum which accompanies this Resolution; and

WHEREAS, the individual Grant Agreement between the County and Miami Design District which incorporates such conditions shall be submitted to the Board for approval in the future,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA , that:

Section 1. The foregoing recitals and the Mayor's Memorandum are approved and incorporated in this Resolution.

Section 2. The allocation of ~~[[\$1,000,000.00]]~~ >> \$2,000,000.00 << from Project 320 to Miami Design District is approved.

The foregoing resolution was offered by Commissioner ,
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Estéban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of October, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Gerald T. Heffernan

